

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

Case No. 1:19-cv-05631-MKV

BENJAMIN REYNOLDS,

Defendant.

**NOTICE OF MOTION FOR ENTRY OF FINAL JUDGMENT BY DEFAULT,
PERMANENT INJUNCTION, CIVIL MONETARY PENALTY, AND
OTHER STATUTORY AND EQUITABLE RELIEF AGAINST
DEFENDANT BENJAMIN REYNOLDS**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b), and in accordance with the Court's order dated July 10, 2020 (ECF No. 31), Plaintiff Commodity Futures Trading Commission ("Commission") respectfully requests that the Court enter final judgment by default against Defendant Benjamin Reynolds ("Reynolds") and issue a final order, in the form of the proposed judgment submitted herewith, that finds him liable for violations of Section 6(c)(1) of the Commodity Exchange Act, 7 U.S.C. § 9(1) (2018), and Commission Regulation 180.1(a), 17 C.F.R. § 180.1(a) (2019), and grants permanent injunctive relief, a civil monetary penalty, and other statutory and equitable relief.

In support of this Motion, and pursuant to Local Civil Rule 55.2(b) and Attachment A to the Court's Individual Rules of Practice in Civil Cases, the Commission submits a copy of the Complaint (ECF No. 1) to which no response has been made, a proposed order to show cause, a proposed form of judgment, a copy of the Proof of Service of the Summons and Complaint (ECF No. 21), and a copy of the Clerk's Certificate of Default (ECF No. 28). The Commission also

submits an accompanying Memorandum of Law and the Declarations of Julia C. Colarusso, Dmitriy Vilenskiy, and Kyong J. Koh, along with their supporting exhibits.

Dated: August 20, 2020

Respectfully submitted,

By: s/Julia C. Colarusso

Julia C. Colarusso (*admitted pro hac vice*)

Jonah E. McCarthy (S.D.N.Y. Bar No. JM1977)

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